

# Senate Study Bill 3026 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED JUDICIAL BRANCH  
BILL)

## A BILL FOR

1 An Act relating to the assessment of fees and court costs in  
2 certain criminal cases, and providing for a fee.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.8106, subsection 1, paragraph a,  
2 Code 2016, is amended to read as follows:

3 a. (1) Except as otherwise provided in paragraphs "b" and  
4 "c", for filing and docketing a criminal case to be paid by the  
5 county or city which has the duty to prosecute the criminal  
6 action, payable as provided in [section 602.8109](#), one hundred  
7 dollars. When judgment is rendered against the defendant,  
8 costs collected from the defendant shall be paid to the county  
9 or city which has the duty to prosecute the criminal action to  
10 the extent necessary for reimbursement for fees paid.

11 (2) However, the fees which are payable by the county to the  
12 clerk of the district court for services rendered in criminal  
13 actions prosecuted under state law and the court costs taxed  
14 in connection with the trial of those actions or appeals from  
15 the judgments in those actions are waived for the county. When  
16 judgment is entered in a case prosecuted under state law by the  
17 county, the fees and court costs are recoverable by the state  
18 from the defendant unless the defendant is found not guilty or  
19 the action is dismissed.

20 Sec. 2. Section 602.8106, subsection 1, Code 2016, is  
21 amended by adding the following new paragraph:

22 NEW PARAGRAPH. *Ob.* For filing and docketing a complaint  
23 or information for an indictable offense, one hundred dollars.  
24 When judgment is rendered against the defendant, the fee shall  
25 be assessed against the defendant.

26 EXPLANATION

27 The inclusion of this explanation does not constitute agreement with  
28 the explanation's substance by the members of the general assembly.

29 This bill relates to the assessment of fees and court costs  
30 in certain criminal offenses.

31 The bill specifies that the fees and court costs payable  
32 by the county to the clerk of the district court to prosecute  
33 criminal cases under state law are waived for the county.

34 The bill provides that when a judgment is entered in a  
35 criminal case prosecuted under state law by the county, the

1 fees and court costs are recoverable by the state from the  
2 defendant unless the defendant is found not guilty or the case  
3 is dismissed.

4     The bill also specifies that the filing and docketing fee for  
5 a complaint or information for an indictable offense is \$100.  
6 The bill provides that when a judgment is rendered against the  
7 defendant in an indictable offense, the fee shall be assessed  
8 against the defendant.